



## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 201204-0325]

RIN 0648-BK95

### Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2021-2022 Biennial Specifications and Management Measures; Inseason Adjustments

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; inseason adjustments to biennial groundfish management measures.

**SUMMARY:** This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow commercial fishing vessels to access more abundant groundfish stocks while protecting rebuilding and depleted stocks.

**DATES:** This final rule is effective [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Sean Matson, e-mail:

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#### ADDRESSES:

##### Electronic Access

This rule is accessible via the Internet at the Office of the Federal Register Web site at <https://www.federalregister.gov>. Background information and documents are

available at the Pacific Fishery Management Council's website at

<http://www.pcouncil.org/>.

## **SUPPLEMENTARY INFORMATION:**

### **Background**

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for 2 year periods (*i.e.*, a biennium). NMFS published the final rule to implement harvest specifications and management measures for the 2021-2022 biennium for most species managed under the PCGFMP on December 11, 2020 (85 FR 79880). In general, the management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its meeting on September 9-15, 2021, the Council recommended increasing trip limits for the Limited Entry (LE) and Open Access (OA) Fixed Gear (FG) sablefish, Daily Trip Limit (DTL) fisheries north of 36° N. latitude. The Council also recommended increasing trip limits for the fixed gear lingcod fishery, north of 42° N. latitude (LE and OA), beginning as soon as possible, for the remainder of the 2021 fishing year and for subsequent September-December periods in later years until superseded.

Pacific Coast groundfish fisheries are managed using harvest specifications or limits (*e.g.*, overfishing limits [OFL], acceptable biological catch [ABC], annual catch limits [ACL] and harvest guidelines [HG]) recommended biennially by the Council and

based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council also recommends management measures (*e.g.*, trip limits, area closures, and bag limits) that are meant to manage catch so as not to exceed the harvest specifications. The harvest specifications and management measures developed for the 2021-2022 biennium used data through the 2020-fishing year. Each of the adjustments to management measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, projected impacts of management measures are updated, and the management measures themselves may need to be adjusted so as to help harvesters achieve but not exceed the harvest limits.

Sablefish is an important commercial species on the West Coast, targeted by vessels using both bottom trawl and fixed gear (longlines and pots/traps). The sablefish stock is managed with a coast-wide OFL and ABC, but with separate ACLs, north and south of 36° N. latitude. In 2021, the ACL for sablefish north of 36° N. latitude is 6,892 metric tons (mt) with a fishery HG of 6,165 mt. The fishery HG north of 36° N. latitude is further divided between the LE FG and OA sectors with 90.6 percent, or 5,586 mt, going to the LE sector and 9.4 percent, or 580 mt, going to the OA sector. The LE share is divided so that 58 percent goes to trawl and 42 percent goes to FG. The LE FG share is further divided between the sablefish primary (tier) fishery (85% or 1,994 mt) and the daily trip limit (DTL) fisheries (15% or 352 mt), as shown in Table 1c. to Title 50, part 660, subpart C of the CFR. The sablefish DTL fisheries are individually managed using landing targets (Table 1), which have accounted for discard mortality a priori, by subtracting 4.5 percent from the DTL catch share. This same method of accounting for discard mortality to calculate the landing target is also used in managing the OA sablefish DTL fishery, north of 36° N. latitude (Table 1).

Lingcod is another important commercial species on the West Coast, and like sablefish, caught by vessels with both trawl and fixed gear (longlines and pots/traps). The lingcod stock is managed separately north and south of 40°10' N. latitude, with a northern ACL of 5,369 mt in 2021, a fishery HG of 5,090.6 mt, and a northern trawl fixed gear allocation of 2,290.8, or 45 percent of the HG, and a northern non-trawl allocation of 2,799.8, or 55 percent. Lingcod north of 40°10' N. latitude are additionally managed north and south of 42° N. latitude, typically with different trip limits set north and south of that management line.

### **Request, analysis, and Council recommendation**

At the September 2021 Council meeting, the Council's Groundfish Management Team (GMT) received requests from industry members and members of the Council's Groundfish Advisory Subpanel to examine the potential to increase sablefish trips limits for the fixed gear, LE and OA DTL fisheries north of 36° N. lat., and to increase trip limits for lingcod north of 42° N. latitude. The intent of increasing the sablefish limits is to increase harvest opportunities for vessels targeting sablefish, under a mix of daily, weekly, and bimonthly landings accumulation limits (commonly referred to collectively as "trip limits"); attainment of harvest targets for each DTL fishery, and the northern fixed gear HG for sablefish have been trending much lower than anticipated throughout 2021. To evaluate potential increases to sablefish trip limits, the GMT made model-based projections of landings under current regulations, as well as alternative sablefish trip limits, including the limits ultimately recommended by the Council, through the remainder of the year. Table 1 shows the projected sablefish landings, the sablefish harvest targets, and the projected attainment percentage by fishery under both the current trip limits and the Council's recommended adjusted trip limits. These projections were based on the most recent catch information available through early September 2021. Industry did not request changes to sablefish trip limits for the LE or OA DTL fisheries

south of 36° N. latitude. Therefore, NMFS and the Council did not consider changes for those fisheries at this time.

As shown in Table 1, under the current trip limits, models predict that landings of sablefish will be far below the harvest targets for LE, and OA fixed gear sablefish DTL fisheries north of 36° N. lat. Under the Council's recommended trip limits, sablefish attainment is projected to increase in the LE DTL fishery north of 36° N. latitude, from between 54-59 percent attainment, up to between 86 and 95 percent. For the OA DTL fishery, north of 36° N. latitude, the projected gains are more modest (from between 53 and 60 percent attainment, to between 57 and 66 percent); however, the OA model is more uncertain and less well informed than the LE model, the changes (both to LE and OA) should allow some beneficial increase in attainment, while being sufficiently precautionary.

#### **Gear restriction necessary to implement Council recommended trip limits**

These fixed gear, sablefish and lingcod fisheries include vessels fishing with both hook-and-line and pot gears. West Coast groundfish sablefish pot gear fisheries are considered Category II fisheries under the Marine Mammal Protection Act List of Fisheries, indicating occasional interactions with marine mammals, due to occasional incidental mortality and serious injury to ESA-listed humpback whales (the CA/OR/WA stock of humpback whales).

Because sablefish pot gear fisheries are Category II fisheries, NMFS is required to issue a MMPA 101(a)(5)(E) permit for the taking of marine mammals after making a negligible impact determination (NID). NMFS issued a permit for the sablefish pot gear fisheries on September 4, 2013 (amended April 23, 2015 (80 FR 22709)), which expired on September 4, 2016 (78 FR 54553). NMFS published a notice of proposed issuance of a MMPA 101(a)(5)(E) permit and proposed NID on October 22, 2021 (86 FR 58641).

Due to lack of a final 101(a)(5)(E) permit, in this action NMFS is only implementing the inseason increases to trip limits for those vessels using non-pot/trap, fixed gears (e.g. longline and other hook-and-line gears), in the LE and OA FG sablefish, DTL fisheries north of 36° N. latitude, as well as the fixed gear lingcod fishery, north of 42° N. latitude (LE and OA). Pot/trap gear cannot be used in the affected sectors to land up to the higher September through December trip limits for sablefish or lingcod, and vessels using pot/trap gear are instead subject to the lower January through August limits.

Gear restrictions are common routine accountability measures (AMs) in groundfish fisheries (50 CFR 660.60). Additionally, analogous restrictions for vessels to adhere to the lower of two trip limits, in situations of mixed limits for one species during the same period exist in crossover provisions in the groundfish fishery, found at 50 CFR 660.60(h)(7). Crossover provisions normally apply to three activities: Fishing on different sides of a management line, fishing in both the limited entry and open access fisheries, or fishing in both the Shorebased IFQ Program and the limited entry fixed gear fishery. Under the most common scenario, crossover provisions hold a vessel that fishes in areas with two different trip limits for the same species, to the more restrictive of the two limits. The gear specific trip limits implemented through this rule will be managed similar to cross-over provisions.

Providing the trip limit increases with the additional gear restriction still enables substantial additional opportunity as a result of this action for those fishery participants who use longline and other non-pot gear, although it may cause some reduction in benefit versus without the gear restriction. The percentage contributions of pot/trap versus longline gear types to landings over the past five years provides some information about an upper bounds of potential reduction in benefit due to the gear restriction on access to the higher trip limits. Among fixed gear fisheries, in the LE DTL fishery north of 36° N. lat., pot gear only accounted for 6.8 percent of sablefish landings from 2016-2020 (some

permits are dual-endorsed, for both gear types), while in the OA DTL fishery north of 36° N. lat., pot gear accounted for 46 percent of sablefish landings. Just 22 percent of lingcod fixed gear landings (mt) were made using pot gear over the same years in the DTL fishery, while 78 percent were made with longline gear. In the FG OA fishery, only 0.6 percent of lingcod landings were made with pot gear, and 99.4 percent with longline gear. Given these gear distributions for landings in the affected sectors, the GMT's analysis from the September meeting is still valid for this inseason action, even though it was conducted using data that included pot gear as well as longline, and trace amounts of other fixed gears. Thus for both species, the majority of landings overall will be subject to the increased trip limits, and this will provide substantial additional opportunity, despite the gear restriction.

**Table 1 -- Projected landings of sablefish, north of 36° N. lat., sablefish harvest target, and projected percentage of sablefish attained through the end of 2021 by fishery and trip limit.**

<b>Fishery</b>	<b>Trip Limits</b>	<b>Projected Landings (mt)</b>	<b>Landing Target (mt)</b>	<b>Projected Attainment (Percent)</b>
LE FG DTL North of 36° N. lat.	Current: 1,700 lb (771 kg)/week, not to exceed 5,100 lb (2,313 kg)/two months	180-197	336	54-59
	Recommended: 4,500 lb (2,041 kg)/week, not to exceed 9,000 lb (4,082 kg)/two months	290-320		86-95
OA FG DTL North of 36° N. lat.	Current: 600 lb (272 kg)/day, or 1 landing per week of up to 2,000 lb (907 kg), not to exceed 4,000 lb (1,814 kg)/two months	291-331	553	53-60
	Recommended: 600 lb (272 kg), or 1 landing per week of up to 3,000 lb (1,361 kg), not to exceed 6,000 lb (2,722 kg)/ two months	315-363		57-66

The Council also recommended changes to trip limits for lingcod north of 42° N. latitude, after request from industry and analysis by the GMT, in order to reduce regulatory discard, which results in waste and lost revenue. Table 2 shows the current and

recommended trip limits for lingcod north of 42° N. latitude. Table 3 shows the projected impacts of those limits to total mortality, and percent attainment of the non-trawl allocation, north of 40° 10' N. latitude. Projected impacts to total fishing mortality are nearly identical, and well within the margin for error, but based on the analysis by the GMT, the higher landing limits are predicted to convert lost fish as discard, into landings and revenue, rather than inspire additional effort. By maintaining the same level of effort, and total fishing mortality, this increase in trip limits is not predicted to increase bycatch of yelloweye rockfish, which is managed under a rebuilding plan, and is a constraint to this fixed gear lingcod attainment.

**Table 2 -- Current and recommended trip limits for lingcod north of 42° N. latitude.**

Option	Fishery	Area	Trip limit
Current	LE	N. of 42° N. lat.	4,000 lb (1,814 kg) / 2 months
	OA	N. of 42° N. lat.	2,000 lb (907 kg) / month
Recommended	LE	N. of 42° N. lat.	5,000 lb (2,268 kg) / 2 months
	OA	N. of 42° N. lat.	2,500 lb (1,134 kg) / month

**Table 3 -- Projected impacts for current and recommended trip limits, compared to the non-trawl allocation for lingcod north of 42° N. latitude.**

Option	Fishery	Area	Mortality Estimate (mt)	LE + OA (mt)	Non-Trawl Allocation (mt)	Attainment of Allocation (Percent)
Current	LE	North of 42° N lat.	31.8	131.4	2,799.8	4.7%
	OA		99.6			
Recommended	LE	42° N lat.	32.7	132.8	2,799.8	4.7%
	OA		100.2			

### Summary of changes

Trip limit increases for sablefish are intended to increase attainment of the LE and OA DTL fisheries, which each contribute to attainment of the non-trawl HG for sablefish



north of 36° N. latitude. The trip limit increases do not change projected impacts to co-occurring rebuilding species as analyzed in the 2021-2022 harvest specifications because the projected impacts to those species assume that the entire sablefish ACL is harvested. Recommended increases to lingcod north of 42° N. latitude are intended to convert regulatory discards into landings and associated revenue, and are not predicted to increase effort or bycatch of co-occurring rebuilding species. NMFS is only implementing the Council-recommended trip limits for vessels fishing with fixed gear types other than pot/trap, due to the lack of a final MMPA101(a)(5)(E) permit. Therefore, the Council recommended, and NMFS is implementing, by modifying Table 2, North and South to part 660, subpart E, trip limit changes for the LEFG fishery north of 40°10' N. lat., as well as Table 3, North and South to part 660, subpart F to increase the limits as shown in tables 4 and 5 in this rule.

**Table 4 – Trip limits by gear type for sablefish North of 36° N. Latitude for the remainder of 2021 and September-December periods thereafter until superseded.**

	<b>Non-pot gear</b>	<b>Pot gear</b>
LEFG	4,500 lb (2,041 kg)/week, not to exceed 9,000 lb (4,082 kg)/two months	1,700 lb (771 kg)/week, not to exceed 5,100 lb (2,313 kg)/two months
OA	600 lb (272 kg), or 1 landing per week of up to 3,000 lb (1,361 kg), not to exceed 6,000 lb (2,722 kg)/ two months	600 lb (272 kg)/day, or 1 landing per week of up to 2,000 lb (907 kg), not to exceed 4,000 lb (1,814 kg)/two months

**Table 5 – Trip limits by gear type for lingcod North of 42° N. latitude for the remainder of 2021 and September-December periods thereafter until superseded.**

	<b>Non-pot</b>	<b>Pot</b>
LEFG	5,000 lb (2,268 kg) / 2 months	4,000 lb (1,814 kg) / 2 months
OA	2,500 lb (1,134 kg) / month	2,000 lb (907 kg) / month

## Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures, based on the best scientific information available, consistent with the PCGFMP and its implementing regulations.

This action is taken under the authority of 50 CFR 660.60(c) and is exempt from review under Executive Order 12866.

The aggregate data upon which these actions are based are available for public inspection by contacting Dr. Sean Matson in the West Coast Region (see **FOR FURTHER INFORMATION CONTACT**, above), or view at the NMFS West Coast Groundfish website:

*<http://www.westcoast.fisheries.noaa.gov/fisheries/groundfish/index.html>.*

Pursuant to 5 U.S.C. 553(b), NMFS finds good cause to waive prior public notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. The adjustments to management measures in this document increase trip limits for fisheries off of Washington, Oregon, and California to allow for greater attainment of allocations. No aspect of this action is controversial, and changes of this nature were anticipated in the final rule for the 2021-2022 harvest specifications and management measures which published on December 11, 2020 (85 FR 79880).

As stated earlier, the Council recommended sablefish limit changes to increase fisher opportunity to attain harvest targets and allocations for their respective fisheries, and contribute to attainment of the ACL. New information became available at the September 2021 meeting showing that harvest was tracking much lower than projections made during the harvest specifications process due to changing fishery conditions. The updated trip limits being implemented in this rule are anticipated to increase landings and fishing community revenue, while maintaining harvest within scientifically informed conservation limits, concomitant with the goals of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson Stevens Act).

The Council recommended increased lingcod landing limits to reduce regulatory discard; new information became available at the 2021 September meeting indicating that

current levels of landing limits were having the unintended consequence of causing fishers to discard substantial amounts of catch. Implementing the recommended trip limits is projected to ameliorate this, without changing attainment rate of the allocation, by enabling those fish to be landed rather than wasted, and produce fisher and community revenue.

Delaying implementation to allow for public comment would reduce the economic benefits to the commercial fishing industry and the businesses that rely on that industry because it is unlikely the new regulations would publish and could be implemented before the end of the calendar year. Therefore, providing a comment period for this action could significantly limit the economic benefits to the fishery, and would hamper the achievement of optimum yield from the affected fisheries.

Therefore, NMFS finds reason to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) so that this final rule may become effective upon publication in the **Federal Register**. The adjustments to management measures in this document affect commercial fisheries by increasing opportunity and relieving participants of the lower trip limits in light of information showing lower than usual attainment. These adjustments were requested by the Council's advisory bodies, as well as members of industry during the September 2021 meeting, and recommended unanimously by the Council. No aspect of this action is controversial, and changes of this nature were anticipated in the biennial harvest specifications and management measures established through a notice and comment rulemaking for 2021-2022 (85 FR 79880).

#### **List of Subjects in 50 CFR Part 660**

Fisheries, Fishing, Indian fisheries.

**Authority:** 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

Dated: October 26, 2021.

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Jennifer M. Wallace,  
Acting Director, Office of Sustainable Fisheries,  
National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

**PART 660—FISHERIES OFF WEST COAST STATES**

1. The authority citation for part 660 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

## 2. Revise Table 2 (North) to part 660, subpart E, to read as follows:

**Table 2 (North) to Part 660. Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear North of 40°10' N. lat.**

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

10/7/2021

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC						
<b>Rockfish Conservation Area (RCA)<sup>1/</sup>:</b>												
1 North of 46°16' N. lat.	shoreline - 100 fm line <sup>1/</sup>											
2 46°16' N. lat. - 40°10' N. lat.	40 fm line <sup>1/</sup> - 100 fm line <sup>1/</sup>											
3	30 fm line <sup>1/</sup> - 40 fm line <sup>12/</sup>											
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).												
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.												
4 <b>Minor Slope Rockfish<sup>3/</sup> &amp; Darkblotched rockfish</b>	8,000 lb/2 month											
5 <b>Pacific ocean perch</b>	3,600 lb/2 months											
6 <b>Sablefish</b>	1,700 lb/week, not to exceed 5,100 lb/2 months				4,500 lb/week, not to exceed 9,000 lb/2 months							
Higher Sep-Dec sablefish trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.												
7 <b>Longspine thornyhead</b>	10,000 lb/2 months											
8 <b>Shortspine thornyhead</b>	2,000 lb/2 months			2,500 lb/2 months								
9 <b>Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other</b>	10,000 lb/ month											
10 <b>Flatfish<sup>4/8/</sup></b>												
11 <b>Whiting</b>	10,000 lb/ trip											
12 <b>Minor Shelf Rockfish<sup>3/</sup></b>	800 lb / month											
13 <b>Shortbelly Rockfish</b>	200 lb / month											
14 <b>Widow rockfish</b>	4,000 lb/2 month											
15 <b>Yellowtail rockfish</b>	3,000 lb/ month											
16 <b>Canary rockfish</b>	3,000 lb/2 months											
17 <b>Yelloweye rockfish</b>	CLOSED											
18 <b>Minor Nearshore Rockfish, Oregon black/blue/deacon rockfish &amp; CA black rockfish<sup>5/</sup></b>												
19 North of 42°00' N. lat.	5,000 lb/2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish <sup>4/</sup>											
20 42°00' N. lat. - 40°10' N. lat.	7,000 lb/2 months, no more than 2,000 lb of which may be species other than black rockfish											
21 <b>Lingcod<sup>6/</sup></b>												
22 North of 42°00' N. lat.	4,000 lb/2 months				5,000 lb/2 months							
23												
Higher Sep-Dec lingcod trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.												
24 42°00' N. lat. - 40°10' N. lat.	2,000 lb/2 months											
25 <b>Pacific cod</b>	1,000 lb/2 months											
26 <b>Spiny dogfish</b>	200,000 lb / 2 months		150,000 lb / 2 months		100,000 lb / 2 months							
27 <b>Longnose skate</b>	Unlimited											
28 <b>Other Fish<sup>7/</sup> &amp; Cabezon in California</b>	Unlimited											
29 <b>Oregon Cabezon/Kelp Greenling</b>	Unlimited											
30 <b>Big skate</b>	Unlimited											

TABLE 2 (North)

TABLE 2 (North)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-m depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ Between 46°16' N. lat. and 40°10' N. lat. and the 30 fm and 40 fm lines, fishing is only allowed with hook-and-line gear except bottom longline and dinglebargear, as defined in §660.11

3/ Bocaccio, chilipepper and cowcod are included in the trip limits for Minor Shelf Rockfish and splitnose rockfish is included in the trip limits for Minor Slope Rockfish.

4/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

5/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pt. there is an additional limit of 100 lb or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip (46°38.17' N. lat.).

6/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

## 3. Revise Table 2 (South) to part 660, subpart E, to read as follows:

**Table 2 (South) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear South of 40°10' N. lat.**

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

10/7/2021

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA) <sup>1/</sup>							
1	40°10' N. lat. - 38°57.5' N. lat.	40 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>					
2	38°57.5' N. lat. - 34°27' N. lat.	50 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>					
3	South of 34°27' N. lat.	100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup> (also applies around islands)					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.							
4	Minor Slope rockfish <sup>2/</sup> & Darkblotched	40,000 lb/ 2 months, of which no more than 6,000 lb may be blackgill rockfish					
5	Splitnose rockfish	40,000 lb/ 2 months					
6	Sablefish						
7	40°10' N. lat. - 36°00' N. lat.	1,700 lb/week, not to exceed 5,100 lb/ 2 months				4,500 lb/week, not to exceed 9,000 lb/ 2 months	
Higher Sep-Dec sablefish trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.							
8	South of 36°00' N. lat.	2,500 lb/ week					
9	Longspine thornyhead	10,000 lb/ 2 months					
10	Shortspine thornyhead						
11	40°10' N. lat. - 34°27' N. lat.	2,000 lb/ 2 months			2,500 lb/ 2 months		
12	South of 34°27' N. lat.	3,000 lb/ 2 months					
13	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other	10,000 lb/ month					
14	Flatfish <sup>3/</sup>						
15	Whiting	10,000 lb/ trip					
17	Minor Shelf Rockfish <sup>2/</sup>						
18	40°10' N. lat. - 34°27' N. lat.	8,000 lb. / 2 months, of which no more than 500 lb. may be vermillion					
19	South of 34°27' N. lat.	5,000 lb. / 2 months, of which no more than 3,000lb. may be vermillion					
20	Widow						
21	40°10' N. lat. - 34°27' N. lat.	10,000 lb. / 2 months					
22	South of 34°27' N. lat.	8,000 lb. / 2 months					
23	Chilipepper						
24	40°10' N. lat. - 34°27' N. lat.	10,000 lb. / 2 months					
25	South of 34°27' N. lat.	8,000 lb. / 2 months					
26	Shortbelly Rockfish						
27	South of 40°10' N. lat.	200 lb/ month					
28	Canary rockfish	3,500 lb/ 2 months					
29	Yelloweye rockfish	CLOSED					
30	Cowcod	CLOSED					
31	Bronzespotted rockfish	CLOSED					
32	Bocaccio	6,000 lb/ 2 months					
33	Minor Nearshore Rockfish						
34	Shallow nearshore <sup>4/</sup>	2,000 lb/ 2 months					
35	Deeper nearshore <sup>5/</sup>	2,000 lb/ 2 months					
36	California Scorpionfish	3,500 lb/ 2 months					
37	Lingcod <sup>6/</sup>	1,600 lb / 2 months					
38	Pacific cod	1,000 lb/ 2 months					
39	Spiny dogfish	200,000 lb/ 2 months		150,000 lb/ 2 months		100,000 lb/ 2 months	
40	Longnose skate	Unlimited					
41	Other Fish <sup>7/</sup> & Cabezon in California	Unlimited					
42	Big Skate	Unlimited					

TABLE 2 (South)

TABLE 2 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ POP is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other Flatfish" are defined at § 660.11 and include butter sole, oarfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(X)(B)(1).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

4. Revise Table 3 (North) to part 660, subpart F, to read as follows:

Table 3 (North) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears North of 40°10' N. lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

10/7/2021

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA) <sup>1/</sup> :							
1	North of 46°16' N. lat.	shoreline - 100 fm line <sup>1/</sup>					
2	46°16' N. lat. - 40°10' N. lat.	40 fm line <sup>1/</sup> - 100 fm line <sup>1/</sup>					
3		30 fm line <sup>1/</sup> - 40 fm line <sup>1/2/</sup>					
See §§660.60, 660.330 and 660.333 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Bank, and EFHCAs).							
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.							
4	Minor Slope Rockfish <sup>2/</sup> & Darkblotched rockfish	2,000 lb / month					
5	Pacific ocean perch	100 lb/ month					
6	Sablefish	600 lb/day, or 1 land/week up to 2,000 lb, not to exceed 4,000 lb / 2 months				600 lb/day, or 1 land/week up to 3,000 lb, not to exceed 6,000 lb / 2 months	
Higher Sep-Dec sablefish trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.							
7	Shortpine thornyheads	50 lb/month					
8	Longspine thornyheads	50 lb/month					
9	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other flatfish <sup>4,5/</sup>	5,000 lb/ month					
10	Whiting	300 lb/ month					
11	Minor Shelf Rockfish <sup>2/</sup>	800 lb / month					
12	Widow rockfish	2,000 lb/ 2 months					
13	Shortbelly Rockfish	200 lb / month					
14	Yellowtail rockfish	1,500 lb/ month					
15	Canary rockfish	1,000 lb/ 2 months					
16	Yelloweye rockfish	CLOSED					
17	Minor Nearshore Rockfish, Oregon black/blue/deacon rockfish & CA black rockfish						
18	North of 42°00' N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish <sup>6/</sup>					
19	42°00' N. lat. - 40°10' N. lat.	7,000 lb/ 2 months, no more than 2,000 lb of which may be species other than black rockfish					
20	Lingcod <sup>7/</sup>						
21	North of 42°00' N. lat.	2,000 lb/ month				2,500 lb/ month	
Higher Sep-Dec lingcod trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.							
22	42°00' N. lat. - 40°10' N. lat.	1,000 lb / month					
23	Pacific cod	1,000 lb/ 2 months					
24	Spiny dogfish	200,000 lb/ 2 months		150,000 lb/ 2 months		100,000 lb/ 2 months	
25	Longnose skate	Unlimited					
26	Big skate	Unlimited					
27	Other Fish <sup>7/</sup> & Cabezon in California	Unlimited					
28	Oregon Cabezon/Kelp Greenling	Unlimited					
29	SALMON TROLL (subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish and lingcod, as described below)						
30	North	Salmon trollers may retain and land up to 500 lb of yellowtail rockfish per month as long as salmon is on board, both within and outside of the RCA. Salmon trollers may retain and land up to 1 lingcod per 2 Chinook per trip, plus 1 lingcod per trip, up to a trip limit of 10 lingcod, on a trip where any fishing occurs within the RCA. The lingcod limit only applies during times when lingcod retention is allowed, and is not "CLOSED." These limits are within the per month limits described in the table above, and not in addition to those limits. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above, unless otherwise stated here.					
31	PINK SHRIMP NON-GROUND FISH TRAWL (not subject to RCAs)						
32	North	Effective April 1 - October 31: Groundfish: 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/month (minimum 24 inch size limit); sablefish 2,000 lb/month; canary, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of these species count toward the per day and per trip groundfish limits and do not have species-specific limits. The amount of groundfish landed may not exceed the amount of pink shrimp landed.					

TABLE 3 (North)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ Between 46°16' N. lat. and 40°10' N. lat. and the 30 fm and 40 fm lines, fishing is only allowed with hook-and-line gear except bottom longline and danglebar gear, as defined in §660.11

3/ Bocaccio, chilipepper and coowood rockfishes are included in the trip limits for Minor Shelf Rockfish. Splittnose rockfish is included in the trip limits for Minor Slope Rockfish.

4/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

5/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pt. (46°38.17' N. lat.), there is an additional limit of 100 lbs or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.

6/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ Open access vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.330 (d) of the regulations for more information.

## 5. Revise Table 3 (South) to part 660, subpart F, to read as follows:

Table 3 (South) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N. lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table

10/7/2021

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA) <sup>1/</sup> :							
1	40°10' N. lat. - 38°57.5' N. lat.	40 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>					
2	38°57.5' N. lat. - 34°27' N. lat.	50 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>					
3	South of 34°27' N. lat.	100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup> (also applies around islands)					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.							
4	Minor Slope Rockfish <sup>2/</sup> & Darkblotched rockfish	10,000 lb/ 2 months, of which no more than 2,500 lb may be blackgill rockfish					
5	Splitnose rockfish	200 lb/ month					
6	Sablefish						
7	40°10' N. lat. - 36°00' N. lat.	600 lb/day, or 1 land/week up to 2,000 lb, not to exceed 4,000 lb/2 months				600 lb/day, or 1 land/week up to 3,000 lb, not to exceed 6,000 lb/2 months	
Higher Sep-Dec sablefish trip limits do not apply to pot/trap gear. Sept-Dec landings with pot/trap gear are subject to the lower Jan-Aug limits.							
8	South of 36°00' N. lat.	2,000 lb/week, not to exceed 6,000 lb/2 months					
9	Shortspine thornyheads						
10	40°10' N. lat. - 34°27' N. lat.	50 lb/ month					
11	Longspine thornyheads						
12	40°10' N. lat. - 34°27' N. lat.	50 lb/ month					
13	Shortspine thornyheads and longspine						
14	South of 34°27' N. lat.	100 lb/day, no more than 1,000 lb/ 2 months					
15	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish <sup>3&amp;4/</sup>	5,000 lb/ month					
17	Whiting	300 lb/ month					
18	Minor Shelf Rockfish <sup>2/</sup>						
20	40°10' N. lat. - 34°27' N. lat.	4,000 lb. / 2 months, of which no more than 400 lb. may be vermillion					
21	South of 34°27' N. lat.	3,000 lb. / 2 months, of which no more than 1,200lb. may be vermillion					
22	Widow						
23	40°10' N. lat. - 34°27' N. lat.	6,000 lb. / 2 months					
24	South of 34°27' N. lat.	4,000 lb. / 2 months					
25	Chilipepper						
26	40°10' N. lat. - 34°27' N. lat.	6,000 lb. / 2 months					
27	South of 34°27' N. lat.	4,000 lb. / 2 months					
28	Shortbelly Rockfish						
29	South of 40°10' N. lat.	200 lb/ month					
22	Canary rockfish	1,500 lb/ 2 months					
23	Yelloweye rockfish	CLOSED					
24	Cowcod	CLOSED					
25	Bronzespotted rockfish	CLOSED					
26	Bocaccio	4,000 lb/ 2 months					
30	Minor Nearshore Rockfish						
31	Shallow nearshore <sup>4/</sup>	2,000 lb/ 2 months					
32	Deeper nearshore <sup>5/</sup>	2,000 lb/ 2 months					
33	California Scorpionfish	3,500 lb/ 2 months					
34	Lingcod <sup>6/</sup>	700 lb / months					
35	Pacific cod	1,000 lb/ 2 months					
36	Spiny dogfish	200,000 lb/ 2 months		150,000 lb/ 2 months		100,000 lb/ 2 months	
37	Longnose skate	Unlimited					
38	Big skate	Unlimited					
39	Other Fish <sup>7/</sup> & Cabezon in California	Unlimited					

TABLE 3 (South)



Table 3 (South) Continued

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 10/7/2021

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC						
<b>Rockfish Conservation Area (RCA)<sup>1/</sup>:</b>													
40	40°10' N. lat. - 38°57.5' N. lat.			40 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>									
41	38°57.5' N. lat. - 34°27' N. lat.			50 fm line <sup>1/</sup> - 125 fm line <sup>1/</sup>									
42	South of 34°27' N. lat.			100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup> (also applies around islands)									
<b>See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).</b>													
43	<b>SALMON TROLL</b> (subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish, as described below)												
44	South of 40°10' N. lat.	Salmon trollers may retain and land up to 1 lb of yellowtail rockfish for every 2 lb of Chinook salmon landed, with a cumulative limit of 200 lb/month, both within and outside of the RCA. This limit is within the 4,000 lb per 2 month limit for minor shelf rockfish between 40°10' and 34°27' N. lat., and not in addition to that limit. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above, unless otherwise stated here.											
45	<b>RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL</b>												
46	<b>NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber &amp; Ridgeback Prawn:</b>												
47	40°10' N. lat. - 38°00' N. lat.	100 fm line <sup>1/</sup> - 200 fm line <sup>1/</sup>		100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup>		100 fm line <sup>1/</sup> - 200 fm line <sup>1/</sup>							
48	38°00' N. lat. - 34°27' N. lat.			100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup>									
49	South of 34°27' N. lat.			100 fm line <sup>1/</sup> - 150 fm line <sup>1/</sup>									
50		Groundfish: 300 lb/trip. Species-specific limits described in the table above also apply and are counted toward the 300 lb groundfish per trip limit. The amount of groundfish landed may not exceed the amount of the target species landed, except that the amount of spiny dogfish landed may exceed the amount of target species landed. Spiny dogfish are limited by the 300 lb/trip overall groundfish limit. The daily trip limits for sablefish coastwide and thornyheads south of Pt. Conception and the overall groundfish "per trip" limit may not be multiplied by the number of days of the trip. Vessels participating in the California halibut fishery south of 38°57.50' N. lat. are allowed to (1) land up to 100 lb/day of groundfish without the ratio requirement, provided that at least one California halibut is landed and (2) land up to 3,000 lb/month of flatfish, no more than 300 lb of which may be species other than Pacific sanddabs, sand sole, starry flounder, rock sole, curlfin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 29).											
51	<b>PINK SHRIMP NON-GROUNDFISH TRAWL GEAR</b> (not subject to RCAs)												
52	South	Effective April 1 - October 31: Groundfish: 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/month (minimum 24 inch size limit); sablefish 2,000 lb/month; canary rockfish, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of all groundfish species count toward the per day, per trip or other species-specific sublimits described here and the species-specific limits described in the table above do not apply. The amount of groundfish landed may not exceed the amount of pink shrimp landed.											

Table 3 (South) Continued

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-m depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ POP is included in the trip limits for minor slope rockfish. Blackgill rockfish have a species specific trip sub-limit within the minor slope rockfish cumulative limits. Yellowtail rockfish is included in the trip limits for minor shelf rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow/Nearshore" are defined at § 660.11 under "Groundfish" (7)(B)(1).

5/ "Deeper/Nearshore" are defined at § 660.11 under "Groundfish" (7)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other fish" are defined at § 660.11 and includes kelp greenling off California and leopard shark.

8/ Open access vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.330 (d) of the regulations for more information.

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